



U.S. Department of Justice

United States Attorney
Southern District of New York

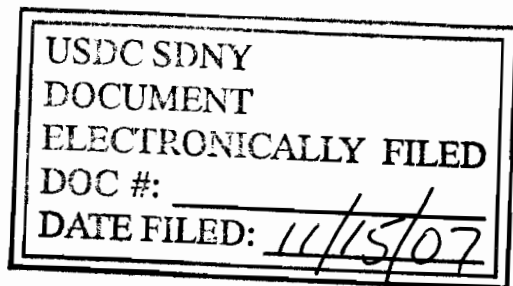
MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 13, 2007

BY FACSIMILE

The Honorable Gerard E. Lynch
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2510
New York, NY 10007



Re: United States v. Caridad Resto
07 Cr. 764 (GEL)

Dear Judge Lynch:

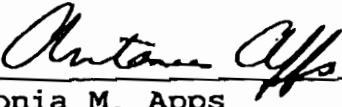
The Government respectfully submits this letter to request an adjournment of the conference scheduled for Friday, November 16, 2007 in the above-captioned case. On October 22, 2007, the defendant submitted a request to the United States Attorney's Office for the Southern District of New York for deferred prosecution or to reduce the charge to a misdemeanor. The Office has not yet reached a decision on this request. Accordingly, the Government respectfully requests that the conference be adjourned until December 6, 2007, at 12:45 p.m.]*

Since this additional time will allow the Government to consider the defendant's deferred prosecution request and permit the parties to continue plea discussions in this case, the Government respectfully requests that time be excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161 et seq., until December 6, 2007 in the interests of justice. Defense counsel has no objection to the exclusion of time under the Speedy Trial Act.]*

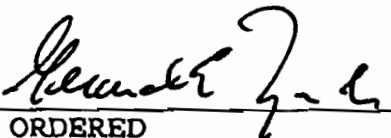
The Honorable Gerard E. Lynch
November 13, 2007
Page 2

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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cc: Fiona Doherty, Esq.


* SO ORDERED
11/14/07